

FACSIMILE TRANSMISSION

The information contained in this transmission is privileged and confidential. It is intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited.

If you have received this communication in error, please notify Gen-Probe immediately by telephone and return the original message to us at the below-indicated address via regular U.S. mail. Thank you.

FROM: Charles B. Cappellari
Gen-Probe Incorporated
10210 Genetic Center Drive
San Diego, California 92121
Phone No. (858) 410-8927
Facsimile No. (858) 410-8928

TO: Examiner: Schmidt, M.
Group 1635

U.S. Patent & Trademark Office

Facsimile No. (703) 872-9306

Number of pages (including this cover page): 5

In re Patent Application of:

BECKER *et al.*

Serial No. 09/808,558

Filed: March 14, 2001

Title: MODIFIED OLIGONUCLEOTIDES AND
METHODS FOR DETERMINING THE
PRESENCE OF A NUCLEIC ACID
ANALYTE IN A SAMPLE

Group Art Unit: 1635

Examiner: Schmidt, M.

Atty. Docket No. GP068-05.CN3

Confirmation No. 3920

Date: January 22, 2003

OFFICIAL

FAX RECEIVED

JAN 22 2003

GROUP 1600

Transmitted herewith:

1. Amendment & Response to Restriction Requirement (3 pgs.) and
2. Marked-Up Version of Amendments (1 pg.).

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (and any referred to as attached) is being sent by facsimile to 703-872-9306 on the date indicated below to Box Non-Fee Amendment, Commissioner for Patents, Washington, D.C. 20231.

Date: January 22, 2003

By: 

Charles B. Cappellari, Reg. No. 40,937

RECEIVED

JAN 22 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

Patent Application of:

BECKER *et al.*

Serial No. 09/808,558

Filed: March 14, 2001

For: MODIFIED OLIGONUCLEOTIDES AND
METHODS FOR DETERMINING THE
PRESENCE OF A NUCLEIC ACID
ANALYTE IN A SAMPLE

Group Art Unit: 1635

Examiner: Schmidt, M.

Atty. Docket No. GP068-05.CN3

Confirmation No. 3920

VIA FACSIMILE

#12/K.T.

1/28

ELECT.

B

AMENDMENT & RESPONSE TO RESTRICTION REQUIREMENT

Box Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Examiner's Restriction Requirement mailed on January 14, 2003, kindly enter the following amendments and consider the following remarks in connection with the above-captioned application.

Amendments

IN THE CLAIMS:

Kindly substitute the following claims:

451. (Amended) The method of claim 441, wherein the nucleic acid analyte comprises RNA.

452. (Amended) The method of claim 451, wherein the nucleic acid analyte comprises ribosomal RNA.